

## **REMARKS**

### **I. Introduction**

Claims 1 to 12 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Allowed Claims 4 and 5**

Applicants also note with appreciation the indication that claims 4 and 5 are allowed.

### **III. Information Disclosure Statement**

As regards the contention that a copy of German Published Patent Application No. 197 12 622 cited in the Information Disclosure Statement filed on November 21, 2005 is missing from the application file, it is respectfully submitted that a copy of the foregoing document was indeed submitted on November 21, 2005 as evidenced by the fact that a copy of this reference is readily available via the PAIR system in the Image File Wrapper for the present application. Nevertheless, to facilitate matters, the foregoing document is again cited in the Supplemental Information Disclosure Statement submitted herewith, and a copy of the foregoing document with an English-language abstract is provided.

### **IV. Statement of Substance of Telephone Interview**

Applicants note with appreciation the courtesies extended by Examiner Lau during the course of the telephone interview conducted on March 29, 2006 with Applicants' representatives, Clifford Ulrich (Reg. No. 42,194) and Michael Paul (Reg. No. 53,443).

During the course of the interview, no exhibit was shown, and no demonstration was conducted.

During the course of the interview, claims 1, 2, 11 and 12 were discussed.

During the course of the interview, U.S. Patent No. 5,956,659 ("Spies et al.") was discussed.

During the course of the interview, the principal proposed amendments of a substantive nature discussed included a recitation in claims 1, 2, 11 and 12 of exclusively feeding scanning signals for generating correction data to a correction unit for at least one predefined time segment of finite length following each request of new scanning signals to be corrected.

During the course of the interview, the general thrust of the principal arguments of the Applicants included the lack of disclosure by Spies et al. of exclusively feeding scanning signals for generating correction data to a correction unit for at least one predefined time segment of finite length following each request of new scanning signals to be corrected.

The general result of the interview was that it was generally agreed that Spies et al. do not appear to disclose exclusively feeding scanning signals for generating correction data to a correction unit for at least one predefined time segment of finite length following each request of new scanning signals to be corrected.

**V. Rejection of Claims 1 to 3 and 6 to 12 Under 35 U.S.C. § 102(b)**

Claims 1 to 3 and 6 to 12 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,956,659 ("Spies et al."). Applicants respectfully submit that Spies et al. do not anticipate the present claims for at least the following reasons.

Claim 1 relates to a method for correcting position dependent scanning signals of an incremental position transducer for measuring positions, which includes a periodic scale structure scanned by a scanning unit, the position dependent scanning signals having deviations from ideal signals expected by a downstream evaluation unit, the method including feeding the position dependent scanning signals of the position transducer to a correction unit in response to a signal request, linking the position dependent scanning signals in the correction unit to correction data generated in accordance with active values of the scanning signals, and exclusively feeding scanning signals for generating correction data to the correction unit for at least one predefined time segment of finite length following each request of new scanning signals to be corrected

It is respectfully submitted that Spies et al. do not disclose, or even suggest, a method or device for correcting position dependent scanning signals of an

incremental position transducer for measuring positions for which a periodic scale structure is scanned by a scanning unit, the position dependent scanning signals having deviations from ideal signals expected by a downstream evaluation unit, as recited by the present claims. In particular, Spies et al. do not disclose the recited features of **exclusively** feeding scanning signals for generating correction data to the correction unit **for at least one predefined time segment of finite length** following each request of new scanning signals to be corrected. Rather, Spies et al. describes how signals S1, S2 of an incremental position encoder (scanning head 2) are fed to a correction unit 6 and corrected with correction values  $S_{A1}$ ,  $S_{O1}$ ,  $S_{\phi}$ ,  $S_{A2}$ , and  $S_{O2}$  which are generated in a processor unit 5. Here, according to Spies et al., the signal request, in which the evaluation unit requests new scanning signals S1, S2, **always** triggers the (subordinate) generation of correction data (which can have consequences that non-optimum data is used to generate the necessary correction data from the scanning signals).

By contrast, the claimed subject matter requires that the scanning signals for generating correction to the correction unit be exclusively fed for at least one predefined time segment of finite length following each request of new scanning signals to be corrected, which means that a defined window is reserved after the request only for the optimum generation of correction data. The trigger points in time for acquiring the necessary scanning signals are not determined by another request clock cycle but can be chosen in that time window in a manner so that they are optimized for the generation of correction data.

Thus, it is respectfully submitted that the Spies et al. do not anticipate the present claims for at least these reasons.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**VI. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Date:

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By:

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